

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

SUSAN HURLEY,

Plaintiff,

v.

Case No: 5:21-cv-53-GKS-PRL

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

THIS CAUSE comes before the Court upon Defendant, Commissioner of Social Security's, Unopposed Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) With Remand to Defendant (Doc. 28) (Motion). Defendant's Motion states that

[t]he Commissioner believes remand is appropriate to have the agency: obtain supplemental vocational evidence, resolving inconsistencies between the job numbers outlined in the Dictionary of Occupational Titles (DOT) and the Selected Characteristics of Occupations Defined in the Revised Dictionary of Occupational Titles (SCO) for the jobs cited. Further, the Administrative Law Judge should make factual findings on whether the job numbers provided constitute significant numbers in the national economy. The Administrative Law Judge will update the administrative record, offer the claimant the opportunity for a hearing, and issue a new decision.

(Doc. 28:1). The Court referred the Motion to the United States Magistrate Judge for a report and recommendation (Report and Recommendation).

On December 15, 2021, the United States Magistrate Judge issued a Report and Recommendation (Doc. 29), recommending that Defendant's Motion be granted, the Commissioner's decision be reversed and remanded.

After review and consideration of the Report and Recommendation, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge Philip R. Lammens' Report and Recommendation (Doc. 29) is **APPROVED and ADOPTED** and is made part of this Order for all purposes, including appellate review.
2. Defendant's Unopposed Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) With Remand to Defendant (Doc. 28) is **GRANTED**.
3. The Commissioner's final decision is **REVERSED**, and the action is **REMANDED** to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g) for the reason stated by the Commissioner.
4. The Clerk of Court is **DIRECTED** to enter Judgment in favor of Plaintiff Susan Hurley and against Defendant Commissioner of Social Security and **CLOSE** this case.

DONE AND ORDERED at Orlando, Florida, this 30 day of December, 2021.



G. KENDALL SHARP
SENIOR UNITED STATES DISTRICT JUDGE

Copies to:
Counsel of Record
Unrepresented Parties